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Michael K. Au

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SUITE 3020

BOCA RATON, FL 33487

EXAMINER

DUNHAM, JASON B

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte: MICHAEL K. AU, CONAN MING Y. CHAN,
SAU CHU CHAN, LEV MIRLAS
and ALEX SHUM

Application No. 10/751,742
Technology Center 3600

Mailed: June 30, 2009

Before Deborah L. PERRY, *Supervisory Paralegal Specialist, Review Team*
PERRY, *Supervisory Paralegal Specialist, Review Team.*

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was electronically received by the Board of Patent Appeals and Interferences on January 4, 2009. A review of the application revealed that it is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the Examiner to address the following matter requiring attention prior to docketing.

EXAMINER'S CONSIDERATION OF REPLY BRIEF

A Reply Brief was filed in this application on November 30, 2008. There is no evidence on the record indicating that the Examiner has considered the Reply Brief in accordance with 37 CFR § 41.43(a)(1) and MPEP § 1208, part II.

Accordingly, it is ORDERED that the application is returned to the Examiner:

- 1) to consider the Reply Brief filed November 30, 2008, as indicated above; and
- 2) for such further action as may be appropriate.

DLP/klh

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